AMENDATORY SECTION (Amending WSR 14-06-040, filed 2/26/14, effective 3/29/14)

WAC 434-335-280 Logic and accuracy test conduct. The county must provide adequate personnel to properly operate the ballot tabulation system. Whenever possible, the system shall be operated during the test by the same person or persons who will be responsible for operating the system on election day. The official logic and accuracy test shall be conducted as follows:

(1) Every ballot tabulator and scanner to be used in the primary or election shall be tested. Digital scan test decks shall be scanned during the official logic and accuracy test.

(2) Undervotes recorded by a digital scan system used to resolve or adjudicate ballots digitally shall be auto-resolved. Some undervotes may be manually resolved to demonstrate the process.

(3) Optical scan tabulators and digital scan tabulators not used to resolve or adjudicate ballots digitally shall be set to out-stack blank ballots, overvotes, and write-in votes.

(4) A printout of the test results shall be produced and compared to the expected test results. If the test results do not match the expected test results, the reason for the discrepancy must be satisfactorily determined and corrections made, if necessary.

(5) The upload of results to the secretary of state's office shall be tested and verified.

AMENDATORY SECTION (Amending WSR 14-06-040, filed 2/26/14, effective 3/29/14)

WAC 434-335-323 Preparing the logic and accuracy test. (1) Each county shall prepare a matrix of the test pattern used to mark the test deck of ballots for the official logic and accuracy test. The matrix shall consist of a spreadsheet listing the number of votes cast for each candidate and responses for and against each measure in each precinct or ballot style. The matrix shall include:

(a) For every precinct or ballot style, the first response position of every race or measure shall be marked so the total votes cast for the first candidate of a race or the first response to a measure equals the total number of precincts or ballot styles being tested for that contest or measure;

(b) Two votes for the second response position, three votes for the third response position, four votes for the fourth response position, etc.;

(c) For each tabulator's test deck:

(i) One write-in vote;

(ii) One overvoted race;

(iii) One blank ballot; and

(iv) At least one of each type of ballot to be used during the election including ballots on demand, alternative language ballots, electronically marked ballots, and electronically duplicated ballots.

(d) For all responses within a race or measure, including write-ins, unique results. Additional ballots must be added to the test deck in the following circumstances:

(i) Within a race or measure, more than one response has the same results;

(ii) A candidate appears in two different races on the same ballot; and

(iii) More than one measure appears on a ballot within the same jurisdiction and each has the same response position names. For example, if two measures with "yes" and "no" response names appear for the same jurisdiction, the test results shall be unique between the two measures.

(2) A copy of the county's test matrix and a sample ballot shall be sent to the office of the secretary of state by the fourteenth day prior to the official logic and accuracy test. The office of the secretary of state shall review the provided matrix to determine if it is prepared in accordance with this section.

(3) The county auditor shall produce a test deck of ballots based on the test matrix to be used in the official logic and accuracy test.

AMENDATORY SECTION (Amending WSR 14-06-040, filed 2/26/14, effective 3/29/14)

WAC 434-335-330 Logic and accuracy test certification. (1) The official logic and accuracy test shall be certified by the county auditor or deputy, the secretary of state representative, and any political party observers for a state primary or general election in accordance with RCW 29A.12.130. Additionally, the county auditor must verify in writing that the version numbers for all software, firmware, and hardware of the voting system used have not changed from the certified versions.

(2) The county auditor shall provide the secretary of state representative copies of the following documents:

(a) Test results;

(b) A zero report;

(c) Signed verification of the version numbers;

(d) Signed certification of the official logic and accuracy test;

(e) A test log of:

(i) The number of accessible voting units to be used in the primary or election; and

(ii) The electronic duplication system, if electronic duplication will be used in the primary or election; and

(f) Any other documentation requested by the secretary of state representative in advance of the official test.

(3) Copies of the certification documents must be retained by the secretary of state and the county auditor. All test results, test ballots, the signed certification, and a copy of the tabulation programming or the actual tabulation equipment must be kept in secure storage until the ((day of the)) equipment is used for a primary or election. The secure storage must use numbered seals and logs that will detect any inappropriate access.

(4) If, for any reason, changes are made to the ballot counting programming after the official logic and accuracy test, an emergency logic and accuracy test must be conducted pursuant to WAC 434-335-310.